



Order Filed on June 15, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

787012
PHELAN HALLINAN DIAMOND & JONES, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
856-813-5500

Attorneys For Secured Creditor: Wells Fargo Bank,
N.A.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:

KEITH W. NELMS
KATHLEEN P. NELMS

Case No: 17-10060 - MBK

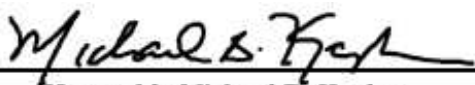
Hearing Date: 07/11/2017

Judge: Michael B Kaplan

CONSENT ORDER RESOLVING OBJECTION TO CONFIRMATION

The consent order set forth on the following pages, numbered two (2) through four (4) is hereby **ORDERED**.

DATED: June 15, 2017



Honorable Michael B. Kaplan
United States Bankruptcy Judge

Attorneys for WELLS FARGO BANK, N.A.

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE:

KEITH W. NELMS
KATHLEEN P. NELMS

CASE NO. 17-10060 - MBK

CHAPTER 13

Debtors

CONSENT ORDER RESOLVING OBJECTION TO CONFIRMATION

HEARING DATE: 07/11/2017

This Consent Order pertains to the property located at 119 DRIFTWOOD LANE, LANOKA HARBOR, NJ 08734-2816, mortgage account ending with “1774”;

THIS MATTER having been brought before the Court by, George E. Veitengruber, III, Esquire attorney for debtors, KEITH W. NELMS, KATHLEEN P. NELMS upon the filing of a Chapter 13 Plan, **WELLS FARGO BANK, N.A.**(hereinafter known as Wells Fargo) by and through its attorneys, Phelan Hallinan Diamond & Jones, PC having filed an Objection to the Confirmation of said Chapter 13 Plan and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for other and good cause shown:

IT IS on the _____ day of _____, 2017, ORDERED as follows:

1. The secured creditor, Wells Fargo, shall be permitted to file a secured Proof of Claim after Confirmation. The arrears reflected in said to-be-filed secured Proof of Claim will be approximately **\$28,482.42**.
2. The Trustee is authorized not to pay the secured arrearage claim (Proof of Claim to be filed shortly) of Wells Fargo for the purpose of allowing the Debtors to apply and potentially complete a loan modification. Should the Debtors qualify for a loan modification, the loan modification must be approved no later than **August 1, 2017**.
3. If Loan Modification is approved, Wells Fargo shall file an Amended Proof of Claim showing the amount of arrears paid to date by the Trustee.
4. If a loan modification is not approved by **August 1, 2017**, the debtors shall do one of the following: 1) file a Modified Plan to cure the arrearage claim of Movant; or 2) file a

Modified Plan to surrender the property subject to said claim; or 3) a Notice to Convert to Chapter 7; or 4) a Notice to Dismiss Case.

5. Debtors acknowledge that the monthly post-petition mortgage payment amount is subject to change in accordance with the terms of the note and mortgage.

6. Debtors shall tender adequate protection payments to Wells Fargo as required by the Loss Mitigation Program (LMP). The adequate protection payments will continue only while the Debtors is in LMP. If the Debtors fails to make adequate protection payments, Wells Fargo will file an Application for Early Termination of LMP. Once the Loss Mitigation Program terminates the Debtors shall cease tendering the reduced adequate protection payments and begin making regular monthly mortgage payments to Wells Fargo as required by the mortgage and note.

7. This Consent Order shall be incorporated in and become a part of any Order Confirming Plan in the herein matter.

The undersigned hereby consent to the form,
Content and entry of the within Order:

PHELAN HALLINAN DIAMOND & JONES, PC
Attorneys for Secured Creditor:
WELLS FARGO BANK, N.A.

/s/ Michael Dingerdissen
Michael Dingerdissen, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
Tel: 856-813-5500 Ext. 31614
Fax: 856-813-5501
Email: michael.dingerdissen@phelanhallinan.com

Dated: 5/10/2017

/s/ George Veitengruber
George E. Veitengruber, III, Esquire
Attorney for debtors

Dated: 6/09/2017

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Keith W. Nelms
Kathleen P. Nelms
Debtors

Case No. 17-10060-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jun 15, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 17, 2017.
db/jdb +Keith W. Nelms, Kathleen P. Nelms, 119 Driftwood Lane, Lanoka Harbor, NJ 08734-2816

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 17, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 15, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK
AS SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURE TRUSTEE FOR THE CWABS
REVOLVING HOME EQUITY LOAN TRUST, SERIES 2004-Q dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
George E Veitengruber, III on behalf of Debtor Keith W. Nelms Gveitengruberresq@gmail.com,
knapolitanol5@gmail.com
George E Veitengruber, III on behalf of Joint Debtor Kathleen P. Nelms
Gveitengruberresq@gmail.com, knapolitanol5@gmail.com
James Patrick Shay on behalf of Creditor WELLS FARGO BANK, N.A. james.shay@phelanhallinan.com
Michael Frederick Dingerdissen on behalf of Creditor WELLS FARGO BANK, N.A.
nj.bkecf@fedphe.com
Michael Frederick Dingerdissen on behalf of Loss Mitigation Wells Fargo Bank N.A.
nj.bkecf@fedphe.com
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8